

House Bill 1137 (AS PASSED HOUSE AND SENATE)

By: Representative Hatfield of the 177th

A BILL TO BE ENTITLED

AN ACT

To amend an Act creating a board of commissioners for Ware County, approved March 15, 1963 (Ga. L. 1963, p. 2237), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002, p. 4404), so as to change the boundaries of the commissioner districts; to provide for certain definitions and inclusions; to provide for continuation in office of current members; to provide for election and terms of office of subsequent members; to provide for submission for preclearance under Section 5 of the Voting Rights Act of 1965, as amended; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating a board of commissioners for Ware County, approved March 15, 1963 (Ga. L. 1963, p. 2237), as amended, particularly by an Act approved April 25, 2002 (Ga. L. 2002, p. 4404), is amended by revising Sections 2 and 3 as follows:

"SECTION 2.

(a) For the purpose of electing members of the board of commissioners, other than the chairperson, Ware County is divided into four commissioner districts. One member shall be elected from each such district. The four commission districts shall be and correspond to those four numbered districts described in and attached to and made a part of this Act and further identified as Plan Name: wareccp8 Plan Type: Local User: staff Administrator: Ware Co.

(b) When used in the attachment, the terms 'Tract' and 'BG' (Block Group) shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of Georgia. The separate numeric designations in a Tract description which are underneath a 'BG' heading shall mean and describe individual Blocks within a Block Group as provided in the report of the Bureau of the Census for the United States decennial census of 2000 for the State of

Georgia. Any part of Ware County which is not included in any such district described in the attachment shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia. Any part of Ware County which is described in that attachment as being in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2000 for the State of Georgia. Except as otherwise provided in the description of any commissioner district, whenever the description of such district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census map for the United States decennial census of 2000 for the State of Georgia.

SECTION 3.

(a) The members of the board of commissioners for Ware County shall be elected as provided in this subsection. The first members from Commissioner Districts 1 and 3 shall be elected at the general election on the Tuesday next following the first Monday in November, 2010. Those members of the board elected thereto from Commissioner Districts 1 and 3 in 2010 shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2014, and upon the election and qualification of their respective successors. The chairperson and the first members from Commissioner Districts 2 and 4 shall be elected at the general election on the Tuesday next following the first Monday in November, 2008. The chairperson and those members of the board elected thereto from Commissioner Districts 2 and 4 in 2008 shall take office the first day of January immediately following that election and shall serve for initial terms of office which expire December 31, 2012, and upon the election and qualification of their respective successors. Those and all future successors to members of the board whose terms of office are to expire shall be elected at the time of the state-wide general election immediately preceding the expiration of such terms, shall take office the first day of January immediately following that election, and shall serve for terms of office of four years each. Members of the board shall serve for the terms of office specified therefor in this subsection and until their respective successors are elected and qualified.

(b) All members of the board who are elected thereto shall be nominated and elected in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

(c) Commissioner Districts 1, 2, 3, and 4, as they exist immediately prior to the effective date of this Act, shall continue to be designated as Commissioner Districts 1, 2, 3, and 4, respectively, but as newly described under this Act, and on and after the effective date of

this Act, such members of the board serving from those former commissioner districts shall be deemed to be serving from and representing their respective districts as newly described under this Act."

SECTION 2.

The Attorney General shall cause this Act to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended; and such submission shall be made to the United States Department of Justice or filed with the appropriate court no later than 30 days after the date on which this Act is approved by the Governor or otherwise becomes law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.